

**7:40 P.M. Interview with
Appointees.**

CITY OF LEOMINSTER

CITY COUNCIL

JANUARY 22, 2007

HEARING BEFORE THE CITY COUNCIL, 7:20 P.M.

Relative to amending Section 16-30 of Revised Ordinances by deleting Schedule (A) in its entirety and inserting in its place a new schedule (a)(1), (b)(1), and (c)(1) to increase salaries and wages of S-1 thru S-10 salaried positions by 3% effective 7-1-2006; 5% effective 7-1-2007 and 4% effective 7-1-2008 and also amending Section 16-13 paragraph 8 allowing employees with four or more weeks vacation in any calendar year to buy back up to ten days of vacation time effective July 1, 2006. (Communications C-61 and C-63)

HEARING BEFORE THE CITY COUNCIL, 7:30 P.M.

Relative to amending Section 16-30 of the Revised Ordinances by deleting Schedule F in its entirety and inserting in its place a new Schedule F (2)(a),(2)(b) and (2)(c) increasing the pay scales for F-1 thru F-5 by 3% effective 7-1-2006, 5% effective 7-1-2007 and 4% effective 7-1-2008. (Communication C-62)

PUBLIC FORUM, 7:45 P.M.

REGULAR MEETING OF THE CITY COUNCIL, 8:00 P.M.

ROLL CALL

REGULAR MEETING OF THE CITY COUNCIL

COMMUNICATIONS

- C-73 Relative to the appropriation of \$35,000.00 to the Planning Department Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-74 Relative to the appropriation of \$64,854.91 to the Library Capital Outlay Expense Account; same to be transferred from the Library State Aid Receipts Reserved for Appropriation Account. (Finance)
- C-75 Relative to the appropriation of \$52,350.00 to the Library Expense Account; same to be transferred from the Library State Aid Receipts Reserved for Appropriation Account. (Finance)
- C-76 Relative to the appropriation of \$10,000.00 to the City Council Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-77 Relative to the appropriation of \$25,000.00 to the Police Department Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-78 Relative to the appropriation of \$75,000.00 to the Police Department Overtime Account; same to be transferred from Police Department Salary and Wages Account. (Finance)
- C-79 Relative to the appropriation of \$325,000.00 to the Water Department Capital Outlay Expense Account; same to be transferred from the Sale of Real Estate Fund. (Finance)
- C-80 Relative to the appropriation of \$36,900.00 to the Highway Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)

REGULAR MEETING OF THE CITY COUNCIL, continued

COMMUNICATIONS, continued

- C-81 Mayor Dean J. Mazzarella: Request the authority to borrow, if necessary, up to \$534,200.00 for the purchase for open space and water supply protection purposes, 50+/- acres of land owned now or formerly by the Norman A. Nutting (Map 512, Lot 3 and Map 362, Lots 15 & 16) as shown on a plan of land to be recorded with the Worcester North Registry of Deeds; said property shall be dedicated in perpetuity to purposes stated in Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts including the protection of water resources and shall be fully protected by all provisions of Article 97. Furthermore, this property shall be open to the general public for appropriate outdoor/recreational use while consistent with 310 CMR 22.00; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow, up to \$534,200.00 the receipt of any state and charitable grants and donations associated with this project will be deposited into the appropriate account; and that the Mayor is authorized to take any other action necessary to carry out these projects. (Finance)

PETITIONS

- 46-07 National Grid: Install one solely owned pole on Abbott Avenue beginning at a point approximately 20 feet north of the centerline of the intersection of Lindell Avenue. (Public Service)
- 47-07 Joy Chiurri: Grant a Special Permit to allow construction of a residential dwelling at 5 Ruth Street, as shown on Assessors Map 441 as lot 61A; a special permit is required for a residential use in an Industrial Zone and will comply with Residential B Zoning Requirements. (Legal Affairs)
- 48-07 James Whitney, on behalf of 557 Lancaster Street Realty Trust: Grant a Special Permit to use an existing building located at 557 Lancaster Street, located in an Industrial zone and shown on Assessor's Map 443 as lot A3, for a dog grooming business. (Legal Affairs)
- 49-07 James Lanciani, Jr.: Accept Chapter 99 of the Acts of 2005, which amends MGL Chapter 149 by adding Section 33E, Live Organ Donation: Leaves of Absence without loss of pay. (Legal Affairs)
- 50-07 New England Farm Workers' Council: Request permission to use the City Council Chambers to take Fuel Assistance applications on February 5th, 12th, 23rd, 26th, March 5th, 12th, 23rd, 26th, April 2nd, 9th, 19th and 26th. (City Property)

01/22/07

REGULAR MEETING OF THE CITY COUNCIL, continued

PETITIONS, continued

- 51-07 Virginia Tocci and Richard Marchand: Request that the Mayor authorize and direct the Leominster Recreation Director and support staff to identify two to three acre parcel of city owned property in the open space inventory to be dedicated for a “Leisure Recreational Site” for dog owners with licensed dogs in the City of Leominster to utilize. (City Property)
- 52-07 John Dombrowski and Robert Salvatelli: Request that the Mayor enter into negotiations and discussions with Fitchburg State College or another similar college or university for the purpose of providing college courses at the newly constructed and renovated library. (City Property)

APPOINTMENTS

Emergency Management Communications Unit - William C. Voedisch, Jr.

MATTERS BEFORE THE CITY COUNCIL

APPOINTMENTS

Emergency Management Rescue Unit – Jonathan R. Boisvert and Steven R. Giaimo

FINANCE

- C-65 Relative to the appropriation of \$7,500.00 to the Wire Department Salary and Wages Account; same to be transferred from the Excess and Deficiency Account.
- C-66 Relative to the appropriation of \$54,104.00 to the Retirement System Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-67 Relative to the appropriation of \$220,000.00 to the Department of Public Works Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

01/22/07

MATTERS BEFORE THE CITY COUNCIL, continued

FINANCE, continued

- C-68 Relative to the appropriation of \$1,475.00 to the Cemetery Expense Account; same to be transferred from the Cemetery Perpetual Care Income Account.
- C-69 Relative to the appropriation of \$25,000.00 to the Highway General Overtime Account; same to be transferred from the Excess and Deficiency Account.
- C-72 Relative to the appropriation of \$30,000.00 to the Sidewalk and Curbing Expense Account; same to be transferred from the Excess and Deficiency Account.

LEGAL AFFAIRS

- C-70 Dean J. Mazzaella, Mayor: Amend Chapter 13 of the Revised Ordinances by adding a new section entitled "Heavy Commercial Vehicles Excluded".
- 36-07 Roger H. Brooks: Increase the water user rate from \$1.75 to \$2.15 effective January 1, 2007 due to declining consumption and pending expenses necessary to comply with the Safe Drinking Water Act.
- 39-07 James N. Cavaoli and ten registered voters: Amend Section 22-26, of the Leominster Zoning Ordinances entitled "Table of Uses" to allow athletic training/playing facilities in an industrial zone district as a use allowed by right. (Hearing scheduled for February 12, 2007 at 7:00 P.M.)
- 44-07 The Richmond Company: Grant a Special Permit to construct a new 15,000 square foot Walgreen's Pharmacy Store with drive-up window and associated site improvements at 35 Central Street, as shown on Assessors Map 15 as lots 9, 9A, 10, 10A, 11, 21, 22 and 25, located within a floodplain. (Hearing scheduled for February 12, 2007 at 7:15 P.M.)
- 45-07 Patrick R. LaPointe: Place a stop sign on Manning Avenue against traffic on Mechanic Street.

LEGAL AFFAIRS & CITY PROPERTY

- C-71 Dean J. Mazzaella, Mayor: Authorize the Mayor to accept a deed for a parcel of land located on Lily Street from Chiara Lolli and Frank P. DelGuidice, Jr.

01/22/07

MATTERS BEFORE THE CITY COUNCIL, continued

LEGAL AFFAIRS AND WAYS & MEANS

- C-48 Dean J. Mazzaella, Mayor: Accept the Intermunicipal Agreement between the City of Leominster and the Town of Lancaster which outlines the terms and conditions of providing wastewater treatment services to the Town of Lancaster.

WAYS & MEANS

- 42-07 Wayne Nickel: Increase the salary of the City Council by \$1,500.00 effective January 1, 2008, \$1,500.00 effective July 1, 2008 and on an annual basis, beginning January 1, 2009, a percentage increase of the salary will be based on the annual consumer price index (CPI-U) of the previous calendar year, with a minimum of no increase and a maximum of 5%.

OLD BUSINESS

2nd Reading Ordinance – amend Section 16-30 of Revised Ordinances by deleting Schedule (A) in its entirety and inserting in its place a new schedule (a)(1), (b)(1), and (c)(1) to increase salaries and wages of S-1 thru S-10 salaried positions by 3% effective 7-1-2006; 5% effective 7-1-2007 and 4% effective 7-1-2008 and also amending Section 16-13 paragraph 8 allowing employees with four or more weeks vacation in any calendar year to buy back up to ten days of vacation time effective July 1, 2006. (Communications C-61 and C-63)

2nd Reading Ordinance – amend Section 16-30 of the Revised Ordinances by deleting Schedule F in its entirety and inserting in its place a new Schedule F (2)(a),(2)(b) and (2)(c) increasing the pay scales for F-1 thru F-5 by 3% effective 7-1-2006, 5% effective 7-1-2007 and 4% effective 7-1-2008. (Communication C-62)

Report of President's Drinking Water Oversight Committee

NEW BUSINESS

TABLED PETITIONS UPON WHICH ACTION IS PROPOSED

LEGAL AFFAIRS

- 19-07 James S. Whitney: Accept and implement the provisions of the newly enacted Massachusetts General Laws, Chapter 43D in its entirety.

LEGAL AFFAIRS & PUBLIC SAFETY

- 79-05 Claire Freda: Amend Section 12-2 of the Revised Ordinances entitled "Fees-Schedule" by adding 7(b)(1) Any license or permit to store chemicals in solid, liquid or gaseous form with the intent that these chemicals be used in any type of manufacturing must be reviewed by the City Council every five years.
- 80-05 Claire M. Freda: Amend Chapter 12 Section 12-1 by adding Sections 12-1 (f through I); (f) any applicant requesting a permit or license to store chemicals in solid, liquid or gaseous form to be used in any type of manufacturing shall be required to provide a comprehensive scope to determine type of work to be done on site; (g) any business entity requesting permit or license that requires storage of any chemicals in solid, liquid or gaseous form with the intent that they be used in any type of manufacturing shall not be granted license until application is reviewed by an independent expert in the field as determined by the City Council at the proponents expense; (h) any Company deemed to be creating a hazardous environment as defined by independent expert shall not be allowed to locate within 1,000 feet of a residential area, school, or daycare center; (I) Employees Right To Know will be on file in the City Clerk's Office.

WAYS & MEANS

- 5-07 David Rowlands: Request that all new appointments to Boards and Commissions shall be residence of the City of Leominster.

Lynn A. Bouchard
City Clerk
January 18, 2007